

REMARKS

**I. Status Of Claims**

Claims 1-12 are pending.

Claims 1-12 are rejected.

Please amend claims 1, 7, 8, 9 and 11 as submitted herein and cancel claim 12.

After entry of the amendment submitted herein, claims 1-11 remain pending.

**II. Objection to the Abstract**

In response to the Examiner's objection to the Abstract, Applicant requests that the Examiner amend the Abstract as the Examiner sees fit to meet the guideline of MPEP § 608.01(b).

**III. Objection to the Specification**

The Examiner continues to object to the Summary Of The Invention section of the present application because that section contains copies of the claims. In the interest of obtaining a favorable disposition of the present application, Applicant proposes to amend the Summary Of The Invention as submitted herein. Applicant believes that the revised Summary Of The Invention meets the guideline of MPEP § 608.01(d) and, thus, entry of the amendment and withdrawal of the objection are requested.

The Examiner also continues to object to the claim style language in the Detailed Description section of the disclosure. In response, Applicant proposes to amend portions of the Detailed Description as submitted herein. Applicant believes that the revised Detailed

Description meets the guideline of MPEP § 608.01(d) and, thus, entry of the amendment and withdrawal of the objection are requested.

**IV. Objection to Claim 12**

In response to the Examiner's objection, claim 12 has been canceled.

**V. Rejection Under 35 U.S.C. § 102(b)**

The Examiner rejected claims 1-12 under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 5,867,655 to DeRoo *et al.* ("DeRoo").

In response, Applicant proposes to further amend independent claim 1 and 8 as submitted herein. The proposed amended claims 1 and 8 now recite "wherein the second auxiliary memory is distinct and separate from the first memory and the content of the auxiliary memory being programmable only once." These amendments further clarify that the second auxiliary memory is distinct and separate from the first memory. Furthermore, amended claims 1 and 8 require that the access control algorithm be contained in the second auxiliary memory.

In contrast, as stated by the Applicant in the Applicant's "Amendment And Response To Office Action" filed on August 4, 2004, the DeRoo reference discloses a system and method wherein the access control algorithm is contained in the program memory not in a second auxiliary memory that is distinct and separate from the first memory (the program memory). Thus, the disclosure of DeRoo does not disclose the invention claimed in amended claims 1 and 8.

In the paragraph number 20 of the "Response to Applicant's Remarks" section of the pending Office Action, the Examiner rejects Applicant's argument by stating that in the claim

language does not state that "the auxiliary memory cannot also contain program type content." Although that is a true statement, it is misplaced. Whether or not the auxiliary memory of the claimed invention contain a program type content, the DeRoo reference does not disclose an auxiliary memory and a first memory that are distinct and separate from one another. Furthermore, the DeRoo reference does not disclose a system and method where the auxiliary memory contains an access control algorithm for controlling access to a program type content contained in the first memory that is distinct and separate from the auxiliary memory.

Accordingly, the DeRoo reference does not suggest or disclose each and every element required in amended claims 1 and 8 presented herewith. Amended claims 1 and 8 are allowable over the DeRoo reference. Withdrawal of the rejection of claims 1 and 8, entry of the amendments presented herewith and a favorable reconsideration of these claims are respectfully requested.

Applicant proposes to amend claim 7 to further clarify the invention according to the disclosure. Applicant proposes to amend claims 9 and 11 as presented herewith to correct typographical and syntax errors.

Claims 2-7 and 9-11 depend from claims 1 and 8, respectively. Because independent claims 1 and 8 are allowable over the DeRoo reference, claims 2-7 and 9-11 are also allowable over the DeRoo reference. Withdrawal of the rejection of claims 2-7 and 9-11, entry of the amendments presented herewith and a favorable reconsideration of these claims are respectfully requested.

In addition, in item 16 of the Detailed Action, the Examiner considers the EEPROM of DeRoo as the first memory and the WORM register corresponds to the register of keys. Then, according to the present invention, the EEPROM would have to be the memory to which the access is to be controlled by applying the access control algorithm contained in the auxiliary memory. But, in item 17 of the Detailed Action, the Examiner also considers that the auxiliary memory of the present invention corresponds to the WORM register of DeRoo. In claims 1 and 8, the auxiliary memory contains the access control algorithm and not keys as in the case of the WORM register of DeRoo.

### Summary


The Applicant believes that all outstanding issued have been addressed and that the pending claims 1-11, upon entry of the amendments presented herein, are now allowable. No new matter has been added. Entry of the amendments presented herein and a favorable reconsideration of this application are respectfully requested.

This paper is being submitted within the THREE-MONTH shortened statutory period which expires on February 12, 2005. Thus, no fee is believed due for filing of this paper.

Respectfully submitted,

Date:

Feb. 8, 2005

By:   
Won Joon Kouh (Reg. No. 42,763)  
Attorney for Applicant

Enclosure

Duane Morris LLP  
P.O. Box 5203  
Princeton, NJ 08543-5203  
(609) 631-2435  
(609) 631-2401 - fax